

**BOARD OF LIQUOR LICENSE COMMISSIONERS FOR BALTIMORE CITY**  
**DOCKET – THURSDAY, AUGUST 9, 2007**  
**ROOM 215 - CITY HALL - 100 NORTH HOLLIDAY STREET**

Please note: If you are interested in a particular case, please call 396-4385 the day before these hearings to verify that a particular case is still scheduled for this date.

**1:00 p.m. John A. Foreman & Felicia Gibbs, BigBroCo, LLC, No trade name given, 822 Lancaster Street** – Class “B” Beer, Wine & Liquor License - Application for a new Class “B” Beer, Wine & Liquor License under the provisions of Senate Bill 571 where seating capacity is greater than 150 persons that the applicant must demonstrate capital investment of \$700,000 and food sales of 65% of total daily receipts; application includes a request for outdoor table seating

**DECISION:**

**1:20 p.m. Christina H. Paik, YPY, Inc. T/a Kawasaki Café, 907 S. Ann Street** - Class “D” Beer & Wine License – Review of transfer application pending for more than 180 days under the provisions of **Article 2B, Section 10-503(d)(4)** “A transfer of any license shall be completed not more than 180 days after the Board approves the transfer” (Re: Transfer approved January 4, 2007)

**DECISION:**

**1:30 p.m. Jose J. Morales, Arizona Bar & Grill, Inc. T/a Arizona Bar & Grill Restaurant, 25 S. Broadway** – Class “D” Beer, Wine & Liquor License – Continuation of case from March 22, 2007: **Violation of Rule 4.16** “No licensee shall allow his premises to be used for the purpose of possession, transfer or use of any narcotic drug” on February 3, 2007 (Re: Bag of suspected cocaine found behind bar); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on February 2, 2007 and on February 3, 2007 (Re: No amusement licenses for any machines in the establishment);

**DECISION:**

**2:00 p.m. James N. Stupka, 1609 Bank Street, Inc. T/a Club Eldorado, 1609 Bank Street** - Class BD7 Beer, Wine & Liquor License - **Violation of Rule 3.01** “Every licensee shall be the actual owner and operator of the business conducted on the licensed premises. The identity of any person, not a licensee, having any financial interest in said business shall be disclosed to the Board in writing” from 25 May 2006 to 8 May 2007 (Re: unrevealed ownership of F. Radtke and then M. A. Salazar [aka- Adan Orlando Salazar-Martinez in the period ranging from 25 May 2006 to 8 May 2007. On or about 7 November 2006, F. Radtke closed on the sale of the property and business with Salazar-Martinez. Ownership by Salazar-Martinez registered with City of Baltimore Treasury Management 17 November 2006. Transfer of property from Radtke to Salazar-Martinez, recorded with M.D.A.T. on 30 November 2006. On or about 30 November, James Stupka (licensee of record) acquired new liquor license for 1609 Bank Street, and did not report or record with the Liquor Board, that transactions and the actual ownership of the real property and business [1609 Bank Street] had occurred between Radtke and Salazar-Martinez during the month of November 2006. On 5 January 2007 & 13 January 2007 property and business owned and operated by Salazar- Martinez et. al. On or about 14 January 2007, Fred Radtke admitted to Liquor Board personnel and police officers that Mr. James Stupka (licensee of record) was in actuality a “straw purchaser”); **Violation of Rule 3.03(a)** “Licensee shall keep accurate records of all purchases of alcoholic beverages for a period of one year from the date of each purchase. Such records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. Such records shall be open for inspection at all times by duly authorized representatives of the Board on 5 January 2007 (Re: Employee unable to provide purchase records or receipts to police agents); **Violation of Rule 3.03(a)** “Licensee shall keep accurate records of all purchases of alcoholic beverages for a period of one year from the date of each purchase. Such records shall include the date of each purchase, the quantity purchased, and the name and address of each seller. Such records shall be open for inspection at all times by duly authorized representatives of the Board on 13 January 2007 (Re: Employee unable to provide purchase records or receipts to police agents); **Violation of Rule 3.03(c)** “Licensees shall keep on their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on or about 5 January 2007 (Re: Employee unable to provide employee records to police agents); **Violation of Rule 3.03(c)** “Licensees shall keep on

their premises records containing the legal names, aliases, addresses, ages, and Social Security numbers of all persons employed by them. Such records shall be open for inspection at all times by duly authorized representatives of the Board, the Police Department of Baltimore City, and other governmental agencies” on or about 13 January 2007 (Re: Employee unable to provide employee records to police agents); **Violation of Rule 3.06** “Licensees shall operate their establishments at all times in accordance with the requirements of the Health Department of Baltimore City, the Building Code of Baltimore City, and the rules and regulations of the Fire Department of Baltimore City on or about 5 January 2007 (Re: “Numerous” loose and unsecured electrical extension cords); **Violation of Rule 3.06** “Licensees shall operate their establishments at all times in accordance with the requirements of the Health Department of Baltimore City, the Building Code of Baltimore City, and the rules and regulations of the Fire Department of Baltimore City on or about 5 January 2007 (Re: Blocked and locked fire exits); **Violation of Rule 3.12** “Licensees shall operate their establishments in such a manner as to avoid disturbing the peace, safety, health, quiet, and general welfare of the community” on or about 5 January 2007 (Re: Loud music audible to police officers at a distance greater than 50 feet); **Violation of Rule 4.10(a)** “No licensee shall purchase alcoholic beverages except from a duly licensed manufacturer or wholesaler; nor shall any licensee sell to any other licensee any alcoholic beverages; and no licensee shall, at any time, keep or permit to be kept upon the licensed premises, any alcoholic beverages unless purchased in accordance with the Rule” on or about 13 January 2007 (Re: a receipt for purchase from Fells Point Liquors” for a 750 ml. bottle of Chivas Regal, as well as numerous other receipts for retail alcohol purchases, all revealed during a police inspection); **Violation of Rule 4.12** “No licensee shall make any false statement in any application, letter or written or oral statement to the Board or to any of its representatives” commencing on or about 19 April 2006 [application for transfer] to 8 May 2007 (Re: Failure to reveal, apprise, or correct application or testimony regarding the transfer, intent and true nature of ownership of the license, business and property at 1609 Bank Street commencing on or about 19 April 2006 [application for transfer] to 8 May 2007. To wit; but not limited to: (a) applicant Stupka’s testimony on or about 25 May 2006; (b) James Stupka’s acquisition of the license, thereby completing the transfer to himself, on or about 30 November 2007. (c) Fred Radtke’s admissions on or about 14 January 2007: regarding actual prior and current ownership; his [Radtke’s] 7 November 2006 sale of 1609 Bank Street property and business to third party [Salazar-Martinez]; and Mr. Stupka’s role as straw purchaser [prior to, during and after the 25 May 2006 transfer hearing]. The purpose of said transfer action was to effectively circumvent the pending 180 day ‘vacated business’ hearing continued from in or around February 2006); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on or about 5 January 2007 (Re: two machines without valid current amusement license); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on or about 5 January 2007 (Re: bartender Maria Luz Villacorta presented fake identification to police officers); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on or about 5 January 2007 (Re: Ms. Maria Villacorta was a visitor working without a visa enabling her to work in this country); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on 5 January 2007 (Re: licensee Stupka allowed the conduct resulting in the foregoing violations of 3.03(a) & (c), 3.06, and 3.12); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on 13 January 2007 (Re: licensee Stupka allowed the conduct resulting in the foregoing violations of 3.03(a) & (c), 3.06, and 3.12)

#### **DECISION:**

**3:00 p.m. Solomon Belay, Five Seasons, LLC T/a Five Seasons, 828-30 Guilford Avenue** –Class “B” Beer, Wine & Liquor License – **Violation of Rule 3.12** “Licensees shall operate their establishments in such a manner as to avoid disturbing the peace, safety, health, quiet, and general welfare of the community” on May 27, 2007 (Re: Police responded for multiple fights in parking lot at 1:03 a.m.); **Violation of Rule 3.12** “Licensees shall operate their establishments in such a manner as to avoid disturbing the peace, safety, health, quiet, and general welfare of the community on May 27, 2007 (Re: Approximately 400 person exiting establishment into parking lot at 1:05 a.m. with multiple fights requiring response from 13 Central District units including the District commander to restore order); **Violation of Rule 3.06** “Licensees shall operate their establishments at all times in accordance with the requirements

of the Health Department of Baltimore City, the Building Code of Baltimore City, and the rules and regulations of the Fire Department of Baltimore City” on July 13, 2007 (Re: Multiple Fire and Health Department violations observed during inspection; establishment closed by the Health Department)and fire exit bolted shut); **Violation of Rule 1.02(g)** "Restaurant" means any lunchroom, cafe or other establishment located in a permanent building with ample space and accommodations wherein hot meals are habitually prepared, sold and served to the public” on July 13, 2007 (Re: Licensee was charging a cover charge to enter establishment which is operating as a night club); **Violation of Rule 4.18** “No licensee shall commit or allow the commission on his premises of any act which shall be contrary to any federal, state or local statute, law or ordinance or against the public peace, safety, health, welfare, quiet or morals” on October 15-16, 2006 (Re: Adult entertainment being provided without Liquor Board or Zoning Board approval or required Adult Entertainment license)

**DECISION:**

**3:30 p.m. Solomon Belay, Five Seasons, LLC T/a Five Seasons, 828-32 Guilford Avenue** – Class “B” Beer, Wine & Liquor License – Application to add 832 Guilford Avenue to existing license at 828-30 Guilford Avenue

**DECISION:**